

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Data Center Systems, Inc.,

Civil No. 06-1695 (DWF/AJB)

Plaintiff,

v.

ORDER

U.S. Bank National Association,
a National Bank,

Defendant.

Alan W. Falconer, Esq., and Jeffrey S. Nicolet, Esq., Wagner Falconer & Judd, Ltd.,
counsel for Plaintiff.

Charles F. Webber, Esq., and Erik J. Girvan, Esq., Faegre & Benson LLP, counsel for
Defendant.

This matter came before the Court on the stipulation of the Plaintiff Data Center Systems, Inc. and Defendant U.S. Bank, National Association (Doc. No. 8) for an order dismissing all of Plaintiff's claims against Defendant with prejudice. Based on the stipulation between the parties, and all the other files, records, and proceedings herein:

IT IS HEREBY ORDERED that the all of the Plaintiff's claims against Defendant are hereby **DISMISSED WITH PREJUDICE**. The Plaintiff shall take nothing by its claims.

IT IS FURTHER ORDERED that Plaintiff and Defendants shall bear their own costs and fees in this action.

SO ORDERED.

Dated: August 9, 2006

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court